

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

Cheetah Omni LLC,

*Plaintiff,*

v.

Alcatel-Lucent USA Inc., et al.,

*Defendants.*

Case No. 6:11-cv-390

**MINUTE ENTRY  
for  
STATUS CONFERENCE  
DATE: January 14, 2014**

**TIMOTHY B. DYK**  
**Judge Presiding**

Law Clerk: Sanjiv Laud  
Electronic Court Recorder Operator:  
Jennifer Bayles

**OPEN: 2:00 PM**

**ADJOURN: 2:15 PM**

<b>TIME:</b>	<b>MINUTES:</b>
<b>2:00 PM</b>	<p>The court held a telephonic status conference with the parties.</p> <p>Present for plaintiff Cheetah Omni was Thomas Lewry, along with Robert C.J. Tuttle, John M. Halan, and Christopher C. Smith, of Brooks Kushman P.C., and T. John Ward and Claire Henry of the Ward &amp; Smith Law Firm.</p> <p>Present for defendant Tellabs was Richard F. O'Malley, along with James P. Bradley and Mark Dodd, of Sidley Austin LLP.</p> <p>Present for defendant Fujitsu was Christopher E. Chalsen, along with Nathaniel T. Browand, of Milbank, Tweed, Hadley &amp; McCloy LLP.</p>
	<p>An electronic copy of the recording will be uploaded to the docket. Any party may request a transcript by filing the necessary forms with the clerk's office.</p>
	<p>The court <b>ORDERED</b> a hearing on Tellabs' pending motion for summary judgment (ECF Doc. # 345) for January 23, 2014, at 1 PM. With the parties' agreement, the hearing will be held in Courtroom 203 of the United States Court of Appeals for the</p>

<b>TIME:</b>	<b>MINUTES:</b>
	Federal Circuit, 717 Madison Place N.W., Washington D.C., 20005. Each party will have 30 minutes.
	Tellabs' letter brief asking leave to file a motion to strike paragraphs of Dr. Lebby's supplemental expert report on infringement (ECF Doc. # 308) was <b>DENIED</b> without prejudice to the issue's being raised in connection with the pending summary judgment motion.
	Tellabs' unopposed motion to withdraw its earlier motion for leave to serve supplemental expert reports (ECF Doc. # 384) was <b>GRANTED</b> . Tellabs' earlier motion (ECF Doc. # 373) is hereby withdrawn.
	Tellabs' motion to sever and have separate trials (ECF Doc. # 390) was <b>GRANTED</b> .
	Tellabs' unopposed motion to identify more than 250 trial exhibits (ECF Doc. # 387). This motion was <b>DENIED AS MOOT</b> .
	Tellabs' letter brief asking leave to file a motion to strike willfulness assertions (ECF Doc. # 398). Cheetah and Tellabs informed the court that Cheetah has agreed to withdraw its assertions of willfulness. The motion was <b>DENIED AS MOOT</b> .
	Pre-trial conference will be held February 20, 2014 in the Eastern District of Texas, Tyler Division, as scheduled. Jury selection and trial will be held the week of March 24th, March 31st, or March 14th. The parties will file a joint letter informing the court of their preferred trial dates after conferring with their witnesses.
	The court directed the parties to adhere to the previously ordered limit on motions in limine and pretrial objections.
<b>2:15 PM</b>	The court concluded the call.



Timothy B. Dyk  
United States Circuit Judge\*

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\* Of the Federal Circuit, sitting by designation.